

KENTUCKE GAZETTE,

SATURDAY, MAY 3. 1788.

LEXINGTON: Printed and Sold by JOHN and FIELDING BRADFORD, at their PRINTING OFFICE in Main Street, where subscription (at 18 per Ann) Advertisements, &c. for this paper, are thankfully received, and PRINTING in its different branches done with Care and Expedition - Advertisements of no more length than breadth, are inserted for 3s. the first time and 2s. each time after and longer ones in proportion.

WHEREAS we passed three bonds to Reuben Proctor to the amount of £104 8 dated some time about the 20th of March last, to be discharged in certain species of property and carpenters work: in consideration of the said Proctor making us a deed in Fee Simple to four hundred acres of land lying in the county of Bourbon: and as said Proctor has left this district in a clandestine manner without complying with his engagements to us: We hereby forewarn all persons taking an assignment of the said bonds, as we are determined not to discharge them until we get a title to the land.

3537
April 21, 1788. THOMAS HAMILTON
SAMUEL HINDMAN.

REUBEN PROCTOR has my note whereon is due one copper Bill and one cow, the consideration for which I gave it is land in Bourbon county, for which I have received no title, the note is supposed to be made over to some of his confederates, as it is reported he is run off, for which I gave this public caution to prevent any person from taking an assignment of said obligation, as I will pay no part till all the land for which it was given is secured to me in fee simple clear of disputes.

April 21, 1788 JAMES ARDERT.

FOUR DOLLARS REWARD

STRAYED from Mr. M'Falls near Lexington the first day of January last, a dark bay horse about fourteen hands high, ten years old, branded on the near shoulder 1G and on the near buttock 1G with an S over them, his mane hangs to the near side, no white remembered except some saddle spots. Whoever secures said horse that the owner may have him again shall be entitled to the above reward, and a reasonable charge brought to my house near Danville or to Capt. John Smiths in Lexington, paid by 3537

April 22, 1788 JOSEPH KARSCHWILER.

BEING appointed an agent by Col. Richard James of the county of Cumberland and St. re of Virginia, for the purpose of attending to the valuation of certain lands contracted for between the said James and a Mr. William Merrewether, of the county of Louisa and state of Virginia: I give this public notice that I shall in behalf of the said James, proceed on the third day of June next to call on the Gent. referred to in the articles of their agreement in order to have the valuation on the aforesaid lands settled, when Mr. Merrewether or his agent is requested to meet me at Danville. 3537 RICHARD ARCHER.

April 22, 1788. A. P. RICHARD JAMES.

THREE DOLLARS REWARD

STRAYED away from the subscriber in the month of October last, a chestnut colour'd mare and mare-colt, both have white main and tail, the mare is thirteen years old, about fourteen hands high and branded on the near shoulder T H, the mare had on a small bell, is supposed to be with foal. Whoever takes up said mare and colt, and brings them to Bourbon court-house, shall have the above reward.

MARY JUNKIN.

STRAYED from Capt. John Fowlers about Christmas last, a small bay horse, four years old this spring, has a small star in his forehead, long tail and hanging mane, branded on the near shoulder A on the near buttock 1-B, on the off shoulder 1 S and on the off buttock a flower de luce. Whoever discovers said horse to me in Lexington, or Mr. Tho. West at Bourbon court-house, shall receive Three Dollars Reward,

JAMES WILKINSON.

HEMP SEED

For sale at Robert Barrs Store in Lexington

I AM appointed by the board of Officers convened pursuant to orders from the Executive, to contract with any person who will undertake, to furnish the men ordered on duty, for the defence of Fayette county with provisions. As the situation of our frontiers will not admit of delay, I hope any person who is willing to contract, will make early application to

LEVI TODD.

FOUR DOLLARS REWARD.

STRAYED from the subscriber about Christmases last, a black mare, with a small blaze down her face, five years old, fifteen hands high, a natural trotter, good before, a short tail. ALSO a bay stud colt, two years old in June next, a large head, small white on his nose, light made and long tail. Whoever secures said creatures so that I get them again, shall receive the above reward, or two dollars for either.

Lexington, April 1, 1788 JOHN PARKER.

RED BIRD

A Powerful high blooded horse, will stand this season at the subscribers house in Lexington, his price thirty shillings cash, or 200lb of merchantable tobacco, or 300lb of pork, to be delivered in Lexington, on or before the 20th day of October next.

REDBIRD was got by Fearnought an imported horse, his dam was a Janus, called slow and sure, his grand dam was creeping Kate, so well known on the continent for her swiftness and high blood.

JOHN M'NAIR.

STRAYED from the subscribers plantation near the Surveyors Office (Fayette) a two year old dark bay, or rather brown stone horse, has a small star in his forehead, two or three white feet, is well blooded, and a bay filly the same age, has a very small star, and one white foot: also a yearling horse colt, a bay, neither of them are docked or branded, they went off with a small gray mare, she was a stray and had on a gong bell. Any person who will take up the three first mentioned strays, and bring them home or secure so that they be recovered shall be handsomely rewarded.

April 29 1788. H. MARSALL

A large company will meet at the Crab orchard on Sunday the 25th. of May in order to make an early start on Monday the 26th through the wilderness for the old settlement.

I have for sale at my house a large quantity of dry garnered flax, which I will sell for cash, at two Dollars pr. bushell.

ANNIE CHRISTIAN
Lincoln, April 8, 1788. 3537

FOR SALE

FIFTY THOUSAND

ACRES of valuable land situated on the following water-courses viz. twenty five Thousand acres on the waters of Cumberland river within the Bounds reserved for the continental Officers and soldiers of this state, and twenty five Thousand acres lying on the waters of duck, Elk and Tennessee rivers, and several other navigable water courses falling into the Ohio and Mississippi rivers.

The subscriber thinks it unnecessary with regard to its Situation, Soil, & Timber, to be very particular in his description as he imagines the purchaser would previous to any contract be desirous of seeing the land. Indisputable titles will be made the purchasers, and eight years credit will be given from the time of making the titles, no interest will be requested for the first four years. Any person inclinable to purchase may know the terms and be shown the land by applying to

ELIJAH ROBERTSON.
Nathville January. 21, 1788 629

STOLEN from the subscriber living near Lexington, a blue Jacket, about half worn, the back of alighter blue, with shallow pockets, a set of silver buttons marked JB in a cipher. Any person having bought said Jacket, and returning it to me in Lexington, shall have the full value of it, as I wish to bring villains to justice.

ISAAC BARR

Louisville March 17, 1788.

BY Authority from the Honourable the Executive of the state of Virginia, (being duly admitted thereto) the duties of Notary Public, for the district of Kentucky, will be (to those applying) performed by,

BENJ: JOHNSON.

FOUR DOLLARS REWARD

STRAYED from Mr. Roberts about four miles from this place a bay horse about fourteen hands and an inch high eight years old no brand hanging mane and a large bushy tail, some saddle spots, shod all round, the hair is worn off his sides with the stirrup leathers, and when he moves generally one of his hind legs cracks, whoever takes up said horse and brings him to me in Lexington shall receive the above reward.

Lexington April 29 1788. JOHN GOUDY

FOR SALE

A tract of land containing 1400 acres on the waters of the north fork of Licking, lying on the road from Limestone to the lower blue licks; being Mays settlement and preemption and includes Mays lick, good bonds on persons in this district or on persons in the last part of Virginia will be received in payment, and I will warrant the title.

if b30 HARRY INNES

Mrs. Bradfords,

I have received in your Gazette No. 34 a piece signed I. Sincere which is calculated to inflame the minds of the good people of this District against some particular Characters. It is with reluctance that I lift my pen, nor would I do so on this occasion, was it not to rectify the error of opinion which I. Sincere hath endeavored to establish from his being ignorant of a late law, and to guard your readers against adopting an opinion too hastily to the prejudice of men in office.

In the act to amend the laws of Revenue &c. Sec. 21. which passed the 1st. day of January 1783 are the following words "And whereas the said debts have been greatly reduced and will be soon fully paid, out of the money arising on goods imported, and it is proper to convert the money arising from the said Tax on Process and Alienations, to support the administration of justice; Be it therefore enacted, that all money arising under the said Tax which shall be Specie only, shall be set apart for the payment of the salaries of the Judges of the Supreme Courts, and no other purpose whatsoever."

I would now ask Mr. Sincere if this clause does not repeal all preceding laws on this subject? That the same is none later cannot be denied. Have you not been premature in denouncing the vengeance of God upon the magistrates? Have you not been indifferent in holding up the Clerks of Courts to public censure for acting agreeable to law? "I am full of matter -- my belly is as new wine which hath no vent, it is ready to burst" "I will speak" Thou hast spoken Mr. Sincere, thou hast discharged thy matter, thou hast faved thy belly from bursting, but thou hast misrepresented the fact, thine observations are calculated to inflame and deceive the people of this District and not to inform them.

I have no inclination Messrs. Printers to engage in a paper war, but before I close this address I shall through your Gazette give my sentiments to Mr. Sincere upon his publication, and I am flattered it will thank me for them in his cool moments. It is very unbecoming in an author to attack public officers, for a breach of duty and misconstruction of the laws, unless there is positive proof of the charge; it cannot fail to draw on him the odium of the officers and to destroy his confidence among the people, it will subject him to the scourge of ridicule and his own arrows will be turned against him. Prudence ought to have dictated a more minute inquiry into the charges; like an experienced General in an Enemies country he ought to have moved with caution and guarded against the present surprise.

A FRIEND TO SOCIETY

TO THE PRINTERS OF THE KENTUCKY GAZETTE GENTLEMEN.

I saw a piece in your paper No. 35 wherein I am dragged in neck and shoulders, to justify the conduct of Mr. Harris in his charges against Mr. Marshall. The charge I suppose was taken from what passed between Capt. Butler and myself several years ago, and as there appears to be some mistake, my purpose is to set that matter in its true point of view. I at that time was indebted to Capt. Butler \$517, and in order to satisfy him that it would be in my power to pay that sum, mentioned an article of agreement between Capt. Marshall and myself, which had been carefully left in the surveyors office, at a time when I was a little warm with Mr. Marshall; but when I came to cool and return to the office again there was company in the office on business, and did not mention the article to him at that time, neither have ever asked Mr. Marshall what was become of the article since. My motive for never asking after the article was, I never understood that Mr. Marshall ever denied the agreement between us, and moreover when the matter came to his knowledge asked me why I did not demand my Right, to which I made little or no answer. I have every reason to believe Mr. Marshall ever was and still is willing to settle with me upon just and Honourable terms, and I am only to blame that it has not been long ago. I should be glad those high blooded gentlemen would find some other way of settling their differences than disturbing my tranquillity, but if their pique is at me, I am ready to see them any way except tilting with the quill or bandying with words.

JOHN CLARK.

A Large company will meet at the Crab orchard on the 15th day of May, in readiness to start on the 16th through the wilderness for Richmond.

An ACT directing the Mode of proceeding under certain Executions. [Passed the 4th of JANUARY, 1783.]

SECTION I. WHEREAS It is represented to the General Assembly, that great injury has been sustained both by the debtors and creditors within this commonwealth, by the operation of the present laws concerning executions: For remedy whereof;

Sec. II. BE it enacted by the General Assembly, That so much of all and every act and acts of Assembly as empowers the sheriffs or other officer levying an execution on the goods or other estate of the debtor, to restore such goods or estate so taken, to the debtor, or his entering into bond with security to pay the money or tobacco for which execution was served, and all costs, with lawful interest for the same, to such creditor within three months, shall be, and the same is hereby repealed.

Sec. III. AND be it further enacted, That on all executions hereafter issued, the sheriff or other officer having published notice of the time and place of such sale, at the door of the courthouse of his county on some court day, and at some public place near the residence of the debtor, at least ten days before such sale, shall proceed to sell by auction, the goods or other estate taken under such execution, or so much thereof as shall be sufficient to satisfy the judgement or decree as the case may be, for the best price that can be got for the same: Provided always, that if such goods or other estate cannot be sold for three fourths of their value at the least, in the opinion of the persons hereafter directed to be appointed for that purpose, it shall and may be lawful for the debtor or debtors, or any of them, to enter into bond with sufficient securities to be approved by the persons aforesaid, to pay the money or tobacco for which execution was so served, and all costs, with lawful interest for the same, to such creditor, within twelve months. And on such bond being given, the sheriff or other officer shall restore to such debtor the goods or estate so taken. And when no such bond and security shall be offered by the debtor, or any person for him, and the goods or the other estate taken in execution, cannot in the opinion of the persons aforesaid, be sold for three fourths of their value at the least, the sheriff or other officer shall set up and sell the same for money or tobacco, as the case may be, to be paid at the end of twelve months, and shall take bond of the buyer or buyers, with one or more sufficient securities to pay the same accordingly, with interest, to such creditor.

Sec. IV. AND be further enacted, That all and every bond or bonds so taken in pursuance of this act, shall mention that the same was or were entered into for goods or other estate taken in execution and returned to the debtor, or sold to the obligor, as the case may be, and shall have the force of judgements, and also be assignable. And such sheriff or other officer taking such bond, shall deliver the same to the creditor or his attorney, or return it to the office of the clerk of the court from whence such execution issued, there to be safely kept until demanded by the creditor or his attorney; and if the money or tobacco shall not be paid according to the condition of any such bond, it shall be lawful for the creditor or his attorney to lodge the same, with an affidavit, that the money or tobacco for which such bond was given, or part thereof, is still due, with the clerk of the court from whence the execution issued, and such clerk shall and may thereupon issue an execution for so much as shall appear from the said bond and affidavit to be still due; and upon such execution, the sheriff or other officer shall not take any securities for the payment of the money or tobacco at a further day, but shall levy the same immediately, and sell the property on which the execution shall be so levied for the best price that can be had for the same. Provided, that if on return of such execution the debtor can prove the payment of the money for which such execution was levied, either to the assignee or the original obligee, before notice of such assignment, as the case may be, it shall and may be lawful for the court to quash such execution or give such other judgment therein as to them shall seem right, and the person in whose name such execution issued, shall moreover be liable to the action of such debtor for damages. And for the better directions of such sheriff or other officer, the clerk shall endorse upon the back of such execution that no security is to be taken. Provided, that nothing in this act shall be construed to extend to any judgement or execution not exceeding the sum of twenty five shillings, or to any execution against a sheriff, coroner, public collector, or other person legally authorized to receive any part of the public revenues, or to any execution against any such officer for money received by him under an execution or other process, nor to attorneys receiving

the money of their clients; nor to securities under the act, entitled "An act to empower securities to recover damages in a summary way."

Sec. V. AND be it further enacted, That the court of every county and corporation within this commonwealth, shall appoint nine persons to act as judges of the value of the property and the sufficiency of the securities that may be offered under this act, and no sale under execution shall be made but in the presence of at least three of the said persons. Provided always, that in any case where the creditor, his agent or attorney, shall be dissatisfied with the sufficiency of the security admitted by such valuers, it shall be lawful for such creditor to appeal to the next court to be held for the county or corporation, thereupon, giving notice thereof to the creditor or his attorney, and if such court shall be of opinion that the security so admitted was insufficient, the execution upon which such security was admitted, shall be deemed and taken as a lien upon the goods and chattels of such debtor, and shall not be discharged but upon payment of the debt and costs, or tender of other sufficient security satisfactory to the court. And moreover the bond and security given by such debtor shall remain void until such counter security be given. There shall be paid to each of the valuers appointed by virtue of this act, four shillings for each days attendance at any sale, to be taxed in the bill of costs where there is but one execution, and where there shall be more than one execution to be taxed in the bill of costs on each execution, proportioned to the amount thereof; such attendance not being taxed for more than three valuers in any case. And where any property shall be returned to the debtor or sold on twelve months credit under this act, such persons shall give the sheriff or other officer a certificate that in their opinions such property would not sell for three fourths of its real value, and that the security so taken were sufficient: And such certificates shall be returned by the sheriff with the execution, and shall be a full indemnification for him therein. And such sheriff or officer shall be allowed thirty pounds of tobacco for taking such bond, and no more, except such allowance for keeping and removing such property as shall bear the time of entering into such bond certified by the persons aforesaid to be reasonable. Every person appointed by a court to judge of the value of property taken in execution, and of the sufficiency of securities offered agreeable to the direction of this act, shall before he proceeds to act under such appointment, take an oath before the court of the county or corporation, or some magistrate thereof, that he will truly and impartially execute the trust reposed in him by this act.

(To be continued.)

On closing the session of Mercer county, for Delegates to the Convention, which is to form a Constitution for the Government of the Commonwealth of Kentucky, the following was the state of the polls.

SAMUEL M'DOWELL,	275
JOHN BROWN,	240
HARRY INNES,	213
JOHN JOUETTE,	196
CHRISTOPHER GREENUP,	135

I BEG leave to inform my clients, that Capt. T. Marshall will attend to their business in my absence, and respectfully,

April 29 1788.

H. MARSALL

JUST OPEND

AND FOR SALE AT THOMAS JANUARY'S store in Lexington nearly opposite the Court house and one door above Alexander & James Parkers

SUPERFINE Broad & Narrow Cloths,

Scorduroys, Fustians & jeans,

Calico,

Moores & Darants,

Irish Linen,

Apron check,

Silk handkerchiefs,

White and black Gauze,

Threaf & sewing Silk,

Mens Shoes,

Mens & womens Gloves,

Fibbles and writing paper,

Fine & coarse Combs,

Ink stands,

Pen & cuticau Knives,

Wool Cards,

Cumeland Cotton,

Copperas & Rosin,

8d Nails,

Chisels and Augers,

Qee sware,

and a general assortment of casting, together with a number of articles too tedious to mention